

SULLIVAN & WORCESTER
1025 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20036
(202) 293-6170

0-311221

October 23, 1978

IN BOSTON, MASS.
100 FEDERAL STREET
BOSTON, MASS. 02110
(617) 552-2800

NO.
Date **OCT 23 1978**
Fee \$ **10.00**

RECEIVED
OCT 23 3 43 PM '78
I.C.C.
FEE OPERATION BR.

ICC Washington, D. C.

RECORDATION NO. *9649A*
FILED 1425

OCT 23 1978 3:43 PM
INTERSTATE COMMERCE COMMISSION

Secretary
Interstate Commerce Commission
Washington, D.C. 20423

Dear Sir:

Transmitted herewith for filing and recordation pursuant to Section 20c of the Interstate Commerce Act are five (5) counterparts of a release and discharge whereby ACF Industries, Incorporated releases and assigns to security interest and rights under a conditional sale agreement, recorded as Recordation Number 9649, August 17, 1978 at 4:10 P.M., with Itel Corporation - Rail Division, relative to fifty (50) 70-ton 80'4" all purpose flat cars, bearing identifying numbers PW105051 through 105100, both inclusive, and discharges Itel of all liability.

A check in the appropriate amount of \$10.00 is enclosed.

Yours truly,
David M. Schwartz
David M. Schwartz
Attorney for Itel
Corporation -
Rail Division

Enclosures

Ann Amador

Interstate Commerce Commission
Washington, D.C. 20423

10/23/78

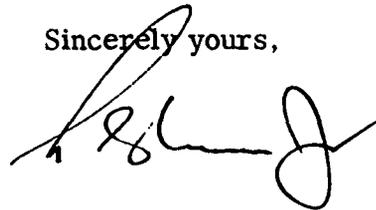
OFFICE OF THE SECRETARY

David M. Schwartz, Atty
IteI Corp.
Two Embarcadero Center
New York, N.Y. 10005

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 20(c) of the Interstate Commerce Act, 49 U.S.C. 20(c), on 10/23/78 at 3:45pm and assigned recordation number(s) 9649-A

Sincerely yours,



H.G. Homme, Jr.,
Acting Secretary

Enclosure(s)

SE-30-T
(2/78)

RELEASE AND DISCHARGE

This Release and Discharge dated October , 1978 from ACF INDUSTRIES, INCORPORATED (the "Vendor") whose principal office is at 750 Third Avenue, New York, New York, to ITEL CORPORATION - RAIL DIVISION (the "Vendee"), whose principal office is at Two Embarcadero Center, San Francisco, California 94111. RECORDATION NO. 9649-A Filed 1426

W I T N E S S E T H :

OCT 23 1978 8 43 PM
INTERSTATE COMMERCE COMMISSION

WHEREAS, the Vendee by a Conditional Sale Agreement (the "Conditional Sale Agreement") granted a security interest to the Vendor in certain railroad equipment (the "Collateral"), more particularly described in Schedule A attached hereto as security for the payment of the purchase price of the Collateral; and

WHEREAS, the Conditional Sale Agreement has been filed and recorded by the Interstate Commerce Commission on August 17, 1978 at 4:10 P.M. pursuant to the provisions of Section 20c of the Interstate Commerce Act and has been assigned Recordation No. 9649; and

WHEREAS, the purchase price of the Collateral and all other sums secured by the Conditional Sale Agreement have been paid in full;

NOW, THEREFORE, in consideration of the premises and of the sum of \$1.00 and other good and valuable consideration, the receipt whereof is hereby acknowledged and in pursuance of the terms and provisions of the Conditional Sale Agreement, the Vendor hereby releases and relinquishes any and all right, title, claim or demand of the Vendor in and to the Collateral arising by, through or under the Conditional Sale Agreement and further authorizes the Release and Discharge to be filed with and recorded by the Interstate Commerce Commission pursuant to Section 20c of the Interstate Commerce Act in order to discharge the Conditional Sale Agreement and to satisfy the same of record.

IN WITNESS WHEREOF the Vendor has caused this agreement to be executed all as of the date and year first above written.

ACF INDUSTRIES, INCORPORATED

By T. Hall
Its SECRETARY

Vendor

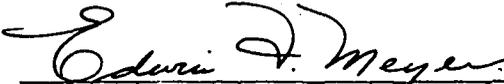
(Corporate Seal)

Attest:

[Signature]
ASSISTANT SECRETARY

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

On this ^{17th} day of October, 1978, before me personally appeared **E. C. HALL**, to me personally known, who being by me duly sworn, says he is **SECRETARY** of ACF INDUSTRIES, INCORPORATED, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.



Notary Public

(SEAL)

My commission expires:

EDWIN F. MEYER
NOTARY PUBLIC, State of New York
No. 30-7917803
Qualified in Nassau County
Certificate filed in New York County
Commission Expires March 30, 1980

DESCRIPTION OF COLLATERAL

50 - 70-Ton 89'4" All Purpose Flat Cars,
bearing identifying numbers
PW105051 through 105100, both
inclusive.

SCHEDULE A
(to Release and Discharge)